

# **DRAFT**

## **CHAPTER 20.40**

### **COMMERCIAL ZONING DISTRICTS**

#### **Part 1 General**

##### **20.40.010 Commercial Zoning Districts**

- A. This Chapter sets forth the land use and development regulations applicable to the Commercial Zoning Districts established by Section 20.10.060.
- B. No building, structure, or land shall be used, and no building or structure shall be erected, enlarged, or structurally altered, in the CO, CP, CN and CG Commercial Districts except as set forth in this Chapter.
- C. The Commercial Zoning Districts are intended to support the commercial land use, economic development, and neighborhood preservation and conservation goals and policies of the General Plan through the use regulations and development standards. The four commercial districts reflect the diversity of the commercial needs and opportunities in the City. The purposes of the Commercial Districts are as follows:

- 1. CO Commercial Office District

The CO Commercial Office district is a district in or near residential areas or between residential and commercial areas. This district is intended to be a low intensity office zone that allows for a scale of offices in or adjacent to residential neighborhoods. Larger scale office development can be Permitted upon approval of the ~~City Council~~[Planning Commission](#).

- 2. CP Commercial Pedestrian

The CP Commercial Pedestrian district is a district intended to support pedestrian oriented retail activity at a scale compatible with surrounding residential neighborhoods. This district is designed to support the goals and policies of the General Plan related to Neighborhood Business Districts. The CP Commercial Pedestrian district also encourages mixed residential/commercial development where appropriate.

3. CN Commercial Neighborhood

The CN Commercial Neighborhood district is a district intended to provide for neighborhood serving commercial uses without an emphasis on pedestrian orientation except within the context of a single development. This district also differs from the CP District in that there is no limit on the size of the stores. The type of development supported by this district includes neighborhood centers, multi-tenant commercial development along major arterials, and small corner commercial establishments.

4. CG Commercial General

The CG Commercial General district is a district intended to serve the needs of the general population. This district allows for a full range of retail and commercial uses with a local or regional market. Development is expected to be auto-accommodating and includes larger commercial centers as well as regional malls.

**20.40.130 Live/Work Units**

Any Special Use Permit issued for live-work uses shall be subject to the following criteria:

1. ~~A maximum of two (2) Live/Work units can be located in any individual structure/building; and~~ Only owners or employees of the business associated with the live/work unit may occupy the living unit portion; and
2. The live/work unit complies with the Uniform Building Code requirements.

### **Part 3 Development Regulations**

**20.40.200 Development Standards**

All development in the Commercial Zoning Districts shall conform to the development regulations set forth below in Table 20-100.

<b>Table 20-100</b> <b>Commercial Zoning Districts</b> <b>Development Standards</b>				
Regulations	Zoning District			
	CO	CP	CN	CG
Minimum Lot Area (square feet or acreage)	6,000	6,000	6,000	1 acre (none if lot is located in a shopping center with shared access and shared parking among the lots)
Minimum Setback (feet)				
Front	15	no minimum, 10 feet maximum	15	25
Side, Interior	5	none	none	none
Side, Corner	12.5	none	12.5	12.5
Rear, Interior	25	25	none	none
Rear, Corner	25	25	none	none
Maximum Height (feet)	35	50	50	65
Maximum Number of stories	3	4	4	8
<a href="#">Maximum Floor Area Ratio</a>	<a href="#">3</a>			
Maximum Individual Occupant Square Footage (square feet) <a href="#">(see Note 1)</a>		2,500/Personal service shop  5,000/Eating, drinking or entertainment establishment  15,000/all other uses		<i>Cont. next page</i>
Parking	See Chapter 20.90			

**Notes Applicable to Commercial Development Standards:**

- (1) [In the CP District, lots located in the West San Carlos Street Neighborhood Business District, as indicated on the General Plan Land Use Diagram, are not subject to the maximum individual occupant square footage requirements.](#)

**20.40.270 Side Setback - Exceptions, Interior Lot**

- A. Notwithstanding, the provisions of Section 20.40.200, in the CP Commercial District, a building side setback shall be required for interior lots on that side of each

such lot which abuts on the side of a lot situate in a Residence District, in which case the side setback requirements shall be a minimum of ten (10) feet.

~~B. Notwithstanding, the provisions of Section 20.40.200, if a building situated or proposed to be situated within a lot has more than two and one-half stories, the side setback established by the provisions of said Section 20.40.200 for such lot, if it is an interior lot, shall be increased one foot for each additional story above the second story.~~

#### ~~20.40.280 Side and Rear Setback—Exception, Buildings over 2 Stories~~

~~Notwithstanding, the provisions of Section 20.40.200, in the CG Commercial District, those portions of a building which rise above the first two stories of such building shall comply with the following additional side and rear setback requirements:~~

~~1. The side setback for all stories of a building above the first two stories shall be the regular side setback required by the provisions of Section 20.40.200, plus a number of feet equal to one and one-half feet multiplied by the number of stories above the first two stories;~~

~~2.1. The rear setback for all stories of a building above the first two stories shall be the regular rear setback required by the provisions of Section 20.40.200, plus a number of feet equal to one and one-half feet multiplied by the number of stories above the first two stories.~~

#### ~~20.40.300 Exception - Maximum Number of Stories and, Height, and Floor Area Ratio~~ Exception

~~In the CO and CG Commercial Districts, a Conditional Use Permit may be issued which authorizes a greater floor area, number of stories and/or height if such increases are not inconsistent with the general purposes of this Title, consistent with applicable General Plan policies, and would promote the public health, safety, or welfare.~~

#### ~~20.40.310 Development Regulations—Maximum Floor Area, Number of Stories and Height~~

~~In the CG Commercial District, the maximum number of stories and maximum height of a building or structure shall not exceed the maximum number of stories and maximum height set forth in Table 20-100, excepting, however, that the City Council, after it shall have received a report thereon from the Planning Commission or after the expiration of ten days from and after the date it shall have adopted or passed a resolution or motion requesting the Planning Commission to make such report, may authorize a greater floor area, number of stories and/or height if it finds that such is not inconsistent with the general purposes of this Title and would promote the public health, safety, or welfare.~~

For the purposes of this Section, the following words and phrases shall be deemed to have the following meanings:

1. ~~"Gross floor area of a building or buildings" means the sum of the gross horizontal areas of the several floors of a building or buildings in a lot, on or above or below grade, situate within the exterior walls of the building or buildings, excluding such cellar or basement areas as are proposed to be used and are used exclusively for the following purposes:~~
  - a. ~~Off-street parking, loading and/or unloading of vehicles of owners, occupants, employees and/or visitors of the building;~~
  - b. ~~Ways of ingress to and/or egress from off-street vehicular parking, loading and/or unloading areas;~~
  - c. ~~Heating, cooling and/or air conditioning of the building;~~
  - d. ~~Heating and/or cooling of water for occupants, employees and visitors of building;~~
  - e. ~~Building maintenance rooms and facilities;~~
  - f. ~~Storage space and facilities for use of owners, occupants and/or employees of the building;~~
  - g. ~~To provide public utility and other services to owners, occupants and/or employees of the building, other than services which are not accessory to the maintenance, operation and use of the building.~~
2. ~~"Surface area of the lot" means the gross horizontal area of the ground surface of the lot within which a building or buildings is or are situate or is or are proposed to be situated.~~
3. ~~"Lot" means a parcel of land shown and delineated as a lot on the latest recorded subdivision map covering such land.~~